

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

AMERICAN EMPIRE SURPLUS LINES	)	
INSURANCE COMPANY, as subrogee of	)	
FROCK BROS. TRUCKING, INC.,	)	Case No. 08 CV 2799
	)	
Plaintiff,	)	Judge Dow
	)	
v.	)	Magistrate Valdez
	)	
CUMMINS INC.,	)	
	)	
Defendant.	)	

**STIPULATION OF EXTENSION OF TIME TO ANSWER OR OTHERWISE PLEAD**

Plaintiff American Empire Surplus Lines Insurance Company and Defendant Cummins Inc. hereby stipulate and agree that Cummins shall have until Thursday, June 19, 2008, to answer or otherwise plead in response to Plaintiff's Complaint. This is the first extension requested in this matter.

STIPULATED AND AGREED TO BY:

/s/ Brendan J. Healey  
Brendan J. Healey  
Mandell Menkes LLC  
333 West Wacker Drive, Ste. 300  
Chicago, IL 60606  
Tel: (312) 251-1000

*Counsel for Defendant Cummins Inc.*

/s/ Robert Ostojic  
Robert Ostojic  
Leahy, Eisenberg & Fraenkel, Ltd.  
161 North Clark Street, Suite 1300  
Chicago, IL 60601  
Tel: (312) 368-4554

*Counsel for Plaintiff American Empire Surplus Lines*

Dated: May 20, 2008

**CERTIFICATE OF SERVICE**

This is to certify that I have this date served a true and correct copy of the foregoing  
*Stipulation of Extension of Time to Answer or Otherwise Plead* on:

Robert Ostojic  
Leahy, Eisenberg & Fraenkel, Ltd.  
161 North Clark Street, Suite 1300  
Chicago, IL 60603

via ECF on this 20th day of May, 2008.

/s/ Brendan J. Healey  
Brendan J. Healey

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